

ZB# 00-06

Thomas Trinajstić

73-4-6

Prelim.

Feb. 14, 2000

Motion to sched. P.H.

Public Hearing:

June 12, 2000.

Granted

Refund:

\$167.00

#00-06 - Trinajstić, Thomas

Area

73-4-6.





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Barbara
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J.

#00-06 - Trinajstić, Thomas

Area

73-4-6.

1



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Tringstic, Thomas

FILE# 00-06.

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

*Paid ck. #422
5/30/00.*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*Paid ck. #403
5/30/00.*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 5-2/14/00 \$ 22.50

2ND PRELIMINARY-PER PAGE 6/12/00-9 \$ 40.50

3RD PRELIMINARY-PER PAGE \$

PUBLIC HEARING - PER PAGE \$

PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 63.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 2/14/00 \$ 35.00

2ND PRELIM. 6/12/00 \$ 35.00

3RD PRELIM. \$

PUBLIC HEARING. \$

PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$

TOTAL \$ 133.00

LESS ESCROW DEPOSIT \$ 300.00

(ADDL. CHARGES DUE) \$

REFUND DUE TO APPLICANT .. \$ 167.00

THOMAS N. TRINAJSTIC
454 PHILO ST.
NEW WINDSOR, NY 12553

1-32/210
9409489586

403

DATE 5-30-00

PAY TO THE
ORDER OF

Town of New Windsor

\$ 300.00

Three hundred and 00/100

DOLLARS

 Security Features
on back of check



94142 Astoria Office
Astoria, New York 11103

MEMO

2BA #00-06.

Thomas N. Trinajstic

⑆02⑆000322⑆ 94094 89586⑆ 0403

SAFETY PAPER

THOMAS N. TRINAJSTIC
454 PHILO ST.
NEW WINDSOR, NY 12553

1-32/210
9409489586

402

DATE 5-30-00

PAY TO THE
ORDER OF

Town of New Windsor

\$ 50.00

fifty dollars + 00/100

DOLLARS

 Security Features
on back of check



94142 Astoria Office
Astoria, New York 11103

MEMO

2BA 00-06.

Thomas N. Trinajstic

⑆02⑆000322⑆ 94094 89586⑆ 0402

SAFETY PAPER

-----X
In the Matter of the Application of

THOMAS TRINAJSTIC

#00-06
-----X

REVISED
MEMORANDUM OF
DECISION GRANTING
AREA VARIANCES

WHEREAS, THOMAS TRINAJSTIC, residing at 454 Philo Street, New Windsor, N. Y. 12553, has made application before the Zoning Board of Appeals for a 7 ft. 6 in. side yard variance for proposed pool and 3 ft. rear yard variance to extend existing deck the above residence in an R-4 zone; and

WHEREAS, a public hearing was held on the 12th day of June, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared on behalf of this Application; and

WHEREAS, there were three spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to this Application although the three persons who spoke has questions; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) There is an existing deck on the property which the Applicant seeks to extend. The variances are necessary for the existing deck.

(c) The property is configured so that there is a significant down grade. The deck and proposed pool are located so as not to be constructed in the down grade, this being the safest spot

on the property to locate the pool.

- (d) The deck would be similar to other decks in the neighborhood.
- (e) Neither the deck nor pool are or will be built over the top of any well or septic system or any water or sewer easement.
- (f) The deck and pool will not effect any ponding or drainage of water.
- (g) No trees or significant vegetation will be removed in order to construct the pool or the deck extension.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a

request for a 7 ft. 6 in. side yard variance for proposed pool and 3 ft. rear yard variance to extend existing deck at 454 Philo Street in an R-4 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: August 14, 2000.


Chairman

Date 6/26/00, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth
168 N. Drury Lane DR.
Newburgh, N.Y. 12550

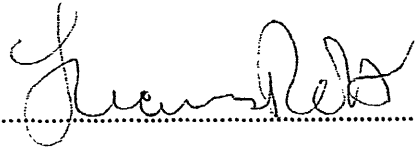
DATE			CLAIMED	ALLOWED
5/12/00		Tring Board Mtg	75 00	
		Misc - 1		
		Bohare - 3		
		Hunsinger - 5		
		Luongo - 4		
		Hegpolds - 3		
		Fox - 8		
		L.G. Enterprises - 3		
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		UOR Associates - 5	184 50	
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			359 50	

STATE OF NEW YORK,
TOWN OF NEW WINDSOR

ss.

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here



No.
Town of New Windsor

Nature

Amount Claimed \$

Amount Allowed \$

Filled

I hereby certify that at a meeting of
said Town Board held at the office of the
Town Clerk on the day
of, 19.....

the within claim was audited and allowed
for the sum of

\$

Clerk

June 12, 2000

Public Hearing

28

TRINAJSTIC, THOMAS

MR. NUGENT: Request for 7 ft. 6 in. side yard variance for proposed pool and rear yard variance to extend existing deck at 454 Philo Street in an R-4 zone.

Mr. and Mrs. Thomas Trinajstic appeared before the board for this proposal.

MR. NUGENT: is there anyone here in the audience for this application?

MR. KRIEGER: The record should reflect that three persons raised their hands.

MR. BABCOCK: Mr. Chairman, the agenda states that it is 7 foot 6 side yard variance for the pool, it should state three foot rear yard variance for the existing deck.

MR. NUGENT: Three foot rear yard?

MS. CORSETTI: For what?

MR. KANE: The existing deck.

MR. BABCOCK: It's just adding a number in there.

MS. CORSETTI: Okay. For the record, we sent out 68 notices to adjacent property owners on May 31st.

MR. NUGENT: You're on, whoever wants to speak?

MRS. TRINAJSTIC: The deck is self-explanatory.

MR. NUGENT: It's there.

MRS. TRINAJSTIC: Right, we just want to make it longer.

MR. TRINAJSTIC: We have a deck there, we want to extend it.

MR. BABCOCK: Their extension of the deck, Mr. Chairman, doesn't do anything as far as making a

variance any greater, they're going with the property, when I was out there looking at the existing deck, when we realized that before these people even owned the house that it was three foot too close to the property line, so I felt that since he's coming in for the pool he might as well get the whole thing straightened out so it's cleaned up.

MR. NUGENT: You took this pool out of here, is that what the X is there for?

MRS. TRINAJSTIC: There was, the previous owner had an existing pool and we never had it but that's where we want to put the new pool on the south side where the old people had their pool.

MR. TORLEY: There's a pool there now?

MRS. TRINAJSTIC: No, on this picture on the south side there's a drawing of a pool right here, that's where we want to put the new pool.

MR. NUGENT: This one's gone?

MR. TRINAJSTIC: Correct, when we bought the house, it was never there.

MR. NUGENT: Now this raised deck is where you're putting the new deck where it says raised deck?

MR. TRINAJSTIC: We're just continuing the long way of the house.

MRS. TRINAJSTIC: It would be the same width, just not the same length.

MR. NUGENT: And the side yard we need, why do they need a side yard, Mike?

MR. BABCOCK: It's the--

MRS. TRINAJSTIC: For the pool itself, we don't have a pool now.

MS. CORSETTI: Proposed pool shall not be located in

the required side yard.

MRS. TRINAJSTIC: This picture is a picture from before when the previous owner had an above-ground pool which was round, I'm using that as a reference spot to where we want to put our oval pool which would be the variance would be 15 feet cause it's a side yard, we're asking it to be 7 point something from the property, 7.6 from the property line on the south side, the south yard is--

MR. NUGENT: You're going to use up 15 feet, I understand.

MR. KANE: What's the size of the pool you're putting in?

MRS. TRINAJSTIC: It's 15 x 30 or 15 x 33 but the side of the house to the property line is 27 feet one inch.

MR. KANE: And the reason to put it on the side of the house?

MRS. TRINAJSTIC: If you look at the pictures, there's a downgrade.

MR. TRINAJSTIC: Flooding to our back door neighbor if we put it directly.

MR. KANE: This is the safest spot on the property to put the pool?

MR. TRINAJSTIC: Yes.

MR. TORLEY: And your raised deck.

MR. KANE: Is this the spot right here?

MR. TRINAJSTIC: Yes.

MR. TORLEY: And the raised deck you have will not be in contact with any deck around the pool?

MRS. TRINAJSTIC: No, not at the moment, eventually.

MR. TRINAJSTIC: No, it will be, there will be 6 foot, I believe a 6 foot deck.

MR. BABCOCK: Which is fine, they're allowed to go within 15 feet of the property line with that, they're farther than 15 foot, it's on the other side of the pool.

MR. NUGENT: Are there any further questions by the board at this time?

MR. KRIEGER: This deck would be similar to other decks in the neighborhood?

MR. TRINAJSTIC: Correct, correct.

MR. KRIEGER: And it's not built over the top of any well or septic system?

MR. TRINAJSTIC: No.

MR. KRIEGER: Water or sewer easement?

MR. TRINAJSTIC: No.

MR. KRIEGER: Doesn't affect the ponding or drainage of water?

MR. TRINAJSTIC: No, ma'am.

MRS. TRINAJSTIC: Not that we know of, we know where the easement is.

MR. TRINAJSTIC: Doesn't affect nothing.

MR. KRIEGER: If you built it in the back yard, it's where the slope is where you described, this is designed to avoid that?

MR. TRINAJSTIC: Right.

MR. NUGENT: I'd like to open it up to the public, address all your questions to the board, to the chair.

MR. RICH GRAZIANO: First of all, just like to see the

plans, Rich Graziano, Richard Graziano, I'd like to see the plans.

MR. NUGENT: We'll show them to you. The best we can, what we have, this is the way I understand it, you correct me if I'm wrong, this is an existing deck, they are extending that deck to here, not coming out any further, just going to be longer?

MRS. TRINAJSTIC: It's the opposite way.

MR. NUGENT: They're putting the new, they want to put the new pool here and they need a variance cause it's too close to this line, it's okay everywhere else but it's too close to this line and they need a 7 foot 6 variance.

MR. KANE: The reason they want to put it there because the slope in the back yard would create a dangerous situation.

MR. GRAZIANO: Okay, if I'm looking at the house that's on the right side of the house or the left side?

MRS. TRINAJSTIC: It's not on their side of the property, it's on the right-hand side.

MRS. LAURA GRAZIANO: I'm Laura Graziano, his wife, on this drawing, it still shows when they were thinking about putting it on our side?

MR. NUGENT: They're not putting it there.

MR. GRAZIANO: As long as I'm sure of that then I don't have a complaint.

MRS. TRINAJSTIC: It's on the south side.

MRS. GRAZIANO: Then I have no problems with that.

MR. NUGENT: Good.

MR. KEVIN HOFRING: Kevin Hofring, I'm the next door neighbor, you're not getting pool this year or you are getting the pool but it's going to be in the back or

the side?

MR. TRINAJSTIC: It's gonna be--

MR. NUGENT: Right in this area and you're here.

MR. TRINAJSTIC: It's gonna be right over here, where the trees are in the middle of us, it's going to be 7.6 from the property line.

MR. HOFRING: But it's going to go over here.

MRS. TRINAJSTIC: It's going to go right here in this area exactly where we showed you it was going to be on the side of the house where we showed you where it was going to be.

MR. HOFRING: I thought it was going to be in the back.

MRS. TRINAJSTIC: We asked you 7 foot six inches from the property line, you said it was no problem.

MR. HOFRING: There's no problem, I thought you were going, here's the property line.

MR. NUGENT: Well, it's actually in back of their house.

MR. HOFRING: Then I have no problem.

MR. NUGENT: Not going on the side?

MRS. TRINAJSTIC: No.

MR. TRINAJSTIC: It's going on the back of the house.

MRS. TRINAJSTIC: Where this pool was, here's the house, it's going here.

MR. HOFRING: You can't go this way, right?

MRS. TRINAJSTIC: No.

MR. HOFRING: Is there any reason because I'm saying there's no--

MR. TRINAJSTIC: As we said before going that way will create flooding for the back people of our, facing the back of us cause the house down slopes, the grading down slopes, it will create a flooding hazard.

MRS. TRINAJSTIC: Level it out, it would be a two foot drop from where our cement is where the door is on the bottom down for it to be level.

MR. KANE: So they'd have to dig out at least two feet which is a lot.

MR. TRINAJSTIC: Even more than two feet.

MR. NUGENT: Do you have any questions?

MR. HOFRING: How about maybe--

MR. NUGENT: Not good enough.

MR. HOFRING: No, I guess, you know, there's no other hearings, this is it, right?

MS. CORSETTI: This is it, that's the public hearing.

MR. HOFRING: So, what happens after this?

MR. NUGENT: They get a building permit.

MR. HOFRING: I guess it's gonna be, now, can I just ask, it's going to be 7 foot 6?

MRS. TRINAJSTIC: From our property line.

MR. HOFRING: That's why you need the variance like you said, right?

MR. TRINAJSTIC: Right.

MR. HOFRING: Okay.

MR. NUGENT: I'm going to close the public hearing now and open it back up to the board for any further questions.

MR. TORLEY: Many of the homes have decks, similar type decks?

MR. TRINAJSTIC: Yes, to the left and right of me, they have decks.

MR. TORLEY: Many of the homes also have above-ground pools?

MRS. TRINAJSTIC: Yes.

MR. KANE: In building the pool, you won't be creating any potential water hazards?

MR. TRINAJSTIC: No.

MR. REIS: Do you have to remove any trees from the side yard to do this?

MR. TRINAJSTIC: No.

MR. KANE: On the sides of the house the flat comes out and then it slopes down after that?

MR. TRINAJSTIC: Yes.

MR. BABCOCK: There's a small gradual slope.

MR. TRINAJSTIC: I'm flat, it inclines toward the people in the back, they're going to have to do it a little bit from where this gate is right here.

MRS. TRINAJSTIC: If you see where the cement is by our house, what they call the bottom of the deck for it to be not in their back yard, we'd have to go so close to the gate for them to be even with the, for it to be any closer where the cement is, you have to dig down.

MR. TORLEY: Many of your neighbors are probably in the same situation in regards to back yard variances required for their decks?

MR. TRINAJSTIC: Yes.

June 12, 2000

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MR. NUGENT: Any further questions?

MR. TORLEY: Accept a motion?

MR. NUGENT: Yes.

MR. TORLEY: I move we grant applicants their requested variances.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. TORLEY	AYE
MR. KANE	AYE
MR. NUGENT	AYE

6/12/00 Public Hearing: VGR Assocs./Advance Auto Parts

Name:

Address:

Kevin Hefring 452 Philo St.

no
opposition Laura GRAZIANO 456 Philo St.

Richard Graziano 456 Philo St.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 06

Request of Thomas & Barbara Trinajstic

for a VARIANCE of the Zoning Local Law to Permit:

extension of existing deck & construction of above-ground
pool w/ insufficient rear & side yards;

being a VARIANCE of Section 48-12-Table of Use/Bulk Regs.-Cols. F, G.

for property situated as follows:

454 Philo Street, New Windsor, N.Y. 12553.

known and designated as tax map Section 73, Blk. 4 Lot 6

PUBLIC HEARING will take place on the 12th day of June, 2000, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

**ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK**

In the Matter of the Application for Variance of

Thomas Tringajstić

#00-06.

**AFFIDAVIT OF
SERVICE
BY MAIL**

STATE OF NEW YORK))
COUNTY OF ORANGE) SS.:

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 31 day of May, 2000, I compared the 68 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

Date June 27 2000
19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Mr. Thomas N. Trinajstic DR.
454 Philo St., New Windsor, NY 12553

DATE		CLAIMED	ALLOWED
6/27/00	Refund of Evam Deposit # 00-06	\$167.00	

STATE OF NEW YORK,
TOWN OF NEW WINDSOR

} ss.

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here

No.

Town of New Windsor

Nature

Amount Claimed \$

Amount Allowed \$

Filed

I hereby certify that at a meeting of
said Town Board held at the office of the
Town Clerk on the day
of, 19.....

the within claim was audited and allowed
for the sum of

\$

.....
Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

10-06.
Date: 5/30/00.

I. ✓ Applicant Information:

- (a) Thomas N. Trinajstic ^{SR} 454 Philo St. New Windsor NY
(Name, address and phone of Applicant) (Owner) 12563
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-4 454 Philo Street 73-4-6 .23
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE.
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO.
- (d) When was property purchased by present owner? 3-10-98.
- (e) Has property been subdivided previously? NO.
- (f) Has property been subject of variance previously? —.
If so, when? —.
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO.
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes____ No____.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. E, G.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	<u>7.6"</u>	<u>7.6"</u>
Reqd. Rear Yd. <u>40'</u>	<u>37'</u>	<u>3'</u>
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

We feel there will be no change in our community if we put in a pool. The reason we are putting it on the side is for the safety of our children & the neighborhood children. There will be no access from the ground level.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*.

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign ..	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: *N/A*.

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

_____.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC
HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF
APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(814) 563-4611

RECEIPT
#413-2000

05/31/2000

Trinajstic, Thomas

Received \$ 50.00 for Zoning Board Fees, on 05/31/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

ZBA - #00-06

CR # 402

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
Feb. 14, 2000

#00-06

Pg 1

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: January 12, 2000

COPY

APPLICANT: Thomas Trinajstic
454 Philo Street
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : 52" Above Ground Pool

LOCATED AT: 454 Philo Street

15X30?
Pool

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 73-4-6 Existing One Family House

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed Pool shall not be located in a required side yard.


BUILDING INSPECTOR

PERMITTED 15'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-21-G-1

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

7'-6"

7'-6"

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 15-2000

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Thomas N. Trinajstic

Address 454 Philo Street Phone 502-8510

Mailing Address 454 Philo Street

Name of Architect _____

Address _____ Phone _____

Name of Contractor Masterson Pools + Spas. (Tom Masterson)

Address 506 Rt. 17 North Ramsey NJ 07446 Phone 201 327-6000

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of PAILLO ST
(N,S,E or W)
and 150 FT feet from the intersection of NINA ST

2. Zone or use district in which premises are situated R4 Is property a flood zone? Y N

3. Tax Map Description: Section ? 73 Block ? 4 Lot 6

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy ONE FAMILY b. Intended use and occupancy ONE FAMILY

5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒ pool ^{Above ground}

6. Is this a corner lot? NO 52" ~~12~~ ABOVE GROUND
15 by 30 52" ~~12~~

7. Dimensions of entire new construction. Front Rear Depth Height No. of stories

8. If dwelling, number of dwelling units: Number of dwelling units on each floor

Number of bedrooms Baths Toilets Heating Plant: Gas Oil

Electric/Hot Air Hot Water If Garage, number of cars

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use

10. Estimated cost Fee \$ 50.00

ED A ED

NEED A SIDE

116100
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Thomas N. Temple
(Signature of Applicant)

454 PHILO ST
(Address of Applicant)

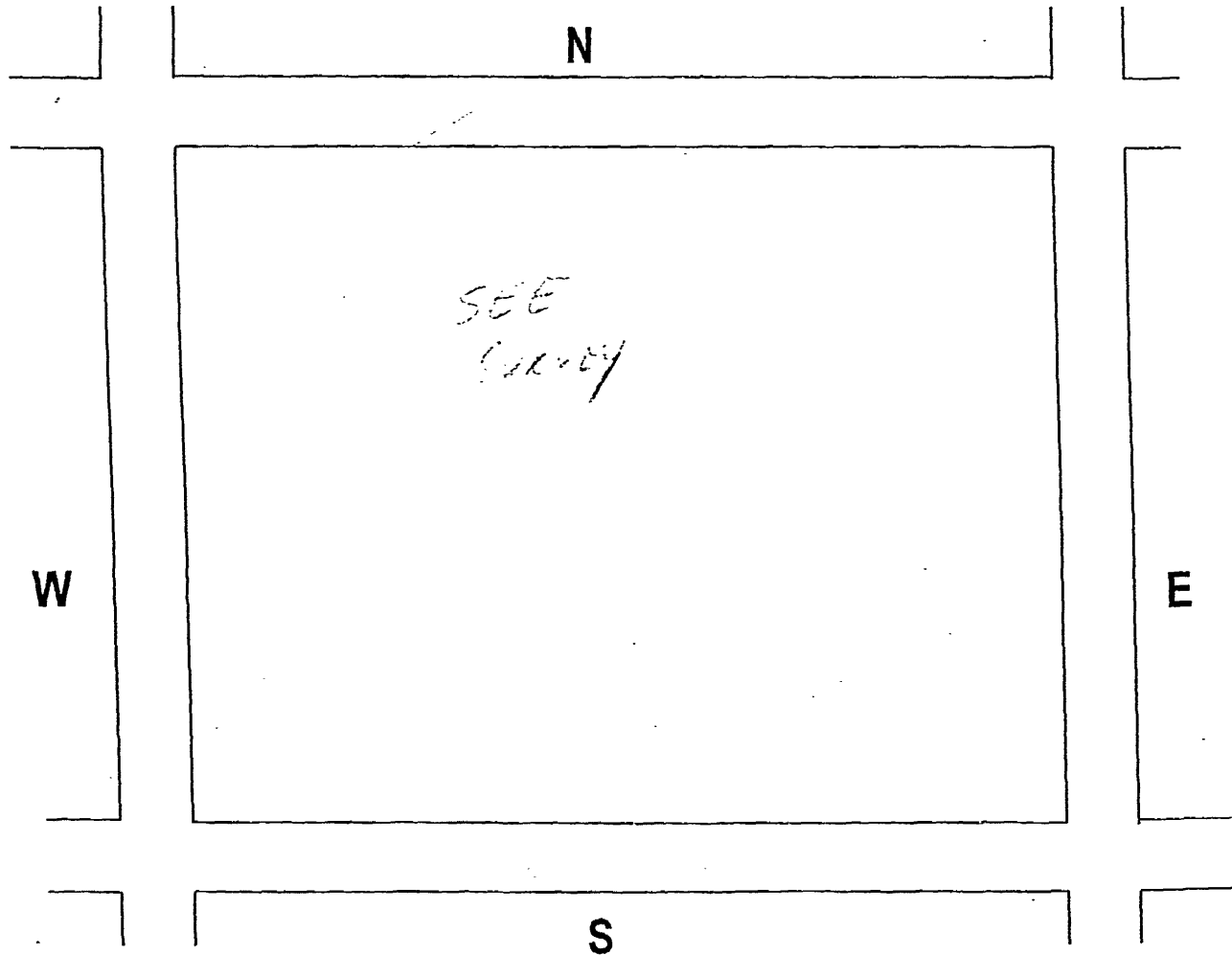
SAME
(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



pg. 2

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: January 12, 2000

COPY

APPLICANT: Thomas Trinajstic
454 Philo Street
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : 12x26 Rear Deck

LOCATED AT: 454 Philo Street

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 73-4-6 Existing One Family House

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed 12x26 Rear Deck will not meet minimum 40' Rear yard Set back.


BUILDING INSPECTOR

PERMITTED 40'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 8-G

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

37'

3'

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

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2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
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FOR OFFICE USE ONLY:
Building Permit #: 16-2000

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises THOMAS N. TRIKASTIC
Address 454 - PHILO ST. Phone 914-562-8510
Mailing Address 454 PHILO ST
Name of Architect _____
Address _____ Phone _____
Name of Contractor SAME
Address _____ Phone _____
State whether applicant is owner, lessee, agent, architect, engineer or builder _____
If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the EAST SIDE side of PHILO ST
(N,S,E or W)
and 150 E feet from the intersection of NINA ST
2. Zone or use district in which premises are situated R4 Is property a flood zone? Y N NO
3. Tax Map Description: Section 73 Block 4 Lot 6
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy OWN FAMILY b. Intended use and occupancy OWN FAMILY
5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒
6. Is this a corner lot? 12 FT X 26 DECK
7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
- Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
- Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee _____

NEED A 3 FT VARRIN

NEED PLANS FOR **EDM ED**

REAR VARI

116 100
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

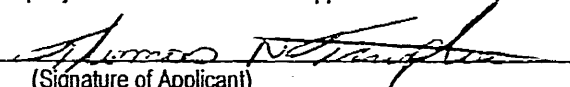
Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
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(Signature of Applicant)

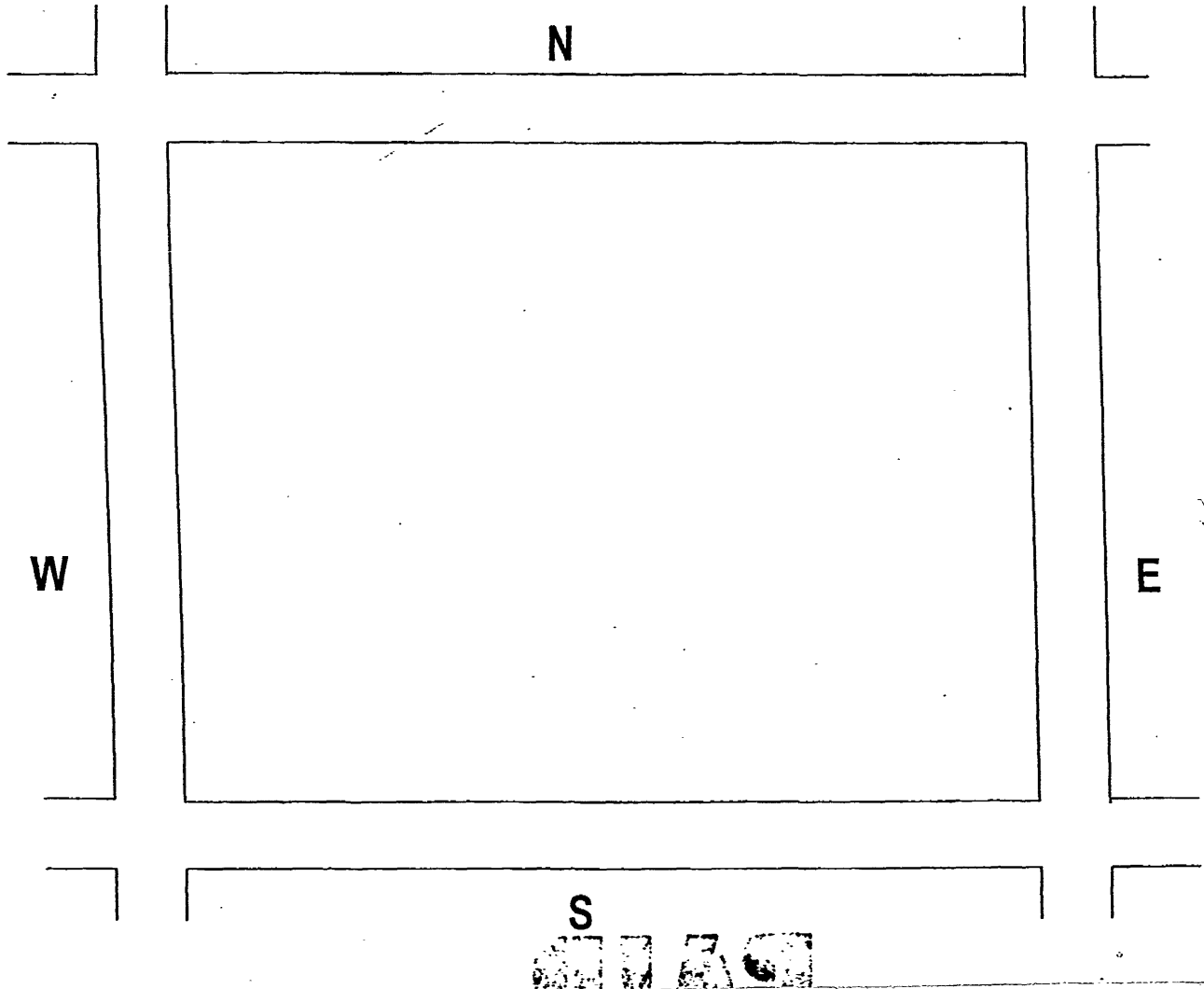
454. PHILD ST
(Address of Applicant)

SAMI
(Owner's Signature)

(Owner's Address)

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

May 9, 2000

Thomas Trinajstic Sr.
454 Philo Street
New Windsor, NY 12553

(68)

Re: 73-4-6

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/lrd
Attachments

CC: Pat Corsetti, ZBA

Keith & Evelyn Aigner
364 Nina Street
New Windsor, NY 12553

Jan & Angelina Rostek
362 Nina Street
New Windsor, NY 12553

Thomas & Margaret Organ
360 Nina Street
New Windsor, NY 12553

Carol Probst
358 Nina Street
New Windsor, NY 12553

Thomas & Kathleen Griffin Jr.
356 Nina Street
New Windsor, NY 12553

Carmine & Frances Lepora
354 Nina Street
New Windsor, NY 12553

Robert & Margaret Mullins
352 Nina Street
New Windsor, NY 12553

Howard L. App
350 Nina Street
New Windsor, NY 12553

John & Kathryn McCrossen
348 Nina Street
New Windsor, NY 12553

Isidoro & Rosaria Macchiarella
346 Nina Street
New Windsor, NY 12553

Robert Lennon Jr.
Stacey Hauptman
344 Nina Street
New Windsor, NY 12553

Jeanne Stiller
342 Nina Street
New Windsor, NY 12553

Gail Lehman
340 Nina Street
New Windsor, NY 12553

Mary & William Kostenblatt
338 Nina Street
New Windsor, NY 12553

Brendan & Susan De Milt
336 Nina Street
New Windsor, NY 12553

Marilyn Mutinelli
334 Nina Street
New Windsor, NY 12553

Elliot & Vicki Cohen
332 Nina Street
New Windsor, NY 12553

Francis & Geraldine Nicolosi
330 Nina Street
New Windsor, NY 12553

Thomas & Joanne Farrell
328 Nina Street
New Windsor, NY 12553

Allen & Stephanie Mittelman
326 Nina Street
New Windsor, NY 12553

Henry Cruz
357 Nina Street
New Windsor, NY 12553

Myron & Phyllis Bernstein Trustees
Bernstein Living Trust
355 Nina Street
New Windsor, NY 12553

Darryl & Sarah Dreyer
353 Nina Street
New Windsor, NY 12553

Michael & Sandra Muller Sr.
351 Nina Street
New Windsor, NY 12553

Richard & Marilene Baskind
349 Nina Street
New Windsor, NY 12553

Fred & Annette Kaiser
347 Nina Street
New Windsor, NY 12553

Patrick Murtagh
Lisa Izzo
345 Nina Street
New Windsor, NY 12553

Peter & Irene Malaszuk
343 Nina Street
New Windsor, NY 12553

Joseph Grimm Jr.
Patricia Grimm
437 Philo Street
New Windsor, NY 12553

Alfred & Maureen Cestari
435 Philo Street
New Windsor, NY 12553

Joseph & Elizabeth Como
433 Philo Street
New Windsor, NY 12553

Secretary of Veterans Affairs
C/o Fayer & Greenberger
175 Fulton Avenue
Hempstead, NY 11550

John & Mary Guarracino
429 Philo Street
New Windsor, NY 12553

Kenneth & Jeanne Martin
427 Philo Street
New Windsor, NY 12553

Bob & Rosemary Hersh
444 Philo Street
New Windsor, NY 12553

Thomas & Kathleen Finneran
446 Philo Street
New Windsor, NY 12553

William Corcoran
448 Philo Street
New Windsor, NY 12553

LG Enterprises of New Jersey, Inc.
108 Lauren Lane
Lakehurst, NJ 08733

Kevin & Leslie Hoiving
452 Philo Street
New Windsor, NY 12553

Richard & Laura Graziano
456 Philo Street
New Windsor, NY 12553

Donald & Diana McKeon
339 Nina Street
New Windsor, NY 12553

Ursula Roberts
337 Nina Street
New Windsor, NY 12553

Robert & Xiomara D'Agostino
335 Nina Street
New Windsor, NY 12553

Joseph Hafner
Hyon Lennons
333 Nina Street
New Windsor, NY 12553

Richard & Bogardus Breakiron
Anneke-Jans Breakiron
331 Nina Street
New Windsor, NY 12553

Brian & Diane Picerno
329 Nina Street
New Windsor, NY 12553

John & Catherine Canale
327 Nina Street
New Windsor, NY 12553

James & Helene Lennon
375 Byron Lane
New Windsor, NY 12553

Inez Montilla
345 Shelly Road
New Windsor, NY 12553

Ronald & Andrea Brophy Jr.
94 Keats Drive
New Windsor, NY 12553

Michael & Yane Lauria
86 Keats Drive
New Windsor, NY 12553

Anthony & Beverley Marchesani
88 Keats Drive
New Windsor, NY 12553

Gerald & Eva Maria Wolfe
97 Keats Drive
New Windsor, NY 12553

Warren Schaefer
Marion Knox
95 Keats Drive
New Windsor, NY 12553

Victor D'Esposito, ETAL
Life Estate for George Charles
93 Keats Drive
New Windsor, NY 12553

Ben & Irena Eng
91 Keats Drive
New Windsor, NY 12553

David & Debra Ann Patterson Jr.
89 Keats Drive
New Windsor, NY 12553

Konstantinos & Margarita Ioannidis
87 Keats Drive
New Windsor, NY 12553

David & Migdalia Ramos
85 Keats Drive
New Windsor, NY 12553

Leo & Sandra Talbot
83 Keats Drive
New Windsor, NY 12553

Michael Sulla
Kathleen Healy
380 Frost Lane
New Windsor, NY 12553

Otto Scheible
532 MacNary Lane
New Windsor, NY 12553

Laborer's Local 17 Training &
Educational Trust Fund
305B Little Britain Road
Newburgh, NY 12550

Joseph & Myra Jean Gerao
50 Steele Road
New Windsor, NY 12553

Anton & Lucia Cech
81 Steele Road
New Windsor, NY 12553

William & Joyce Monahan Jr.
75 Steele Road
New Windsor, NY 12553

David Recine
Julianna Recine
Julia Bilello
79 Steele Road
New Windsor, NY 12553

Lois Musman & Richard Steele
C/o Lois Steele
PO Box 2181
Newburgh, NY 12550

PRELIMINARY MEETINGS:

TRINAJSTIC, THOMAS

MR. TORLEY: Request for a 7 ft. 6 in. side yard variance for proposed pool and 3 ft. rear yard variance for proposed deck at 454 Philo Street in an R-4 zone.

Mr. and Mrs. Thomas Trinajstic appeared before the board for this proposal.

MR. TORLEY: Tell us what you'd like to do.

MRS. TRINAJSTIC: From this area right here, there's a 7 foot drainage pipe here and the--

MR. TORLEY: The easement?

MRS. TRINAJSTIC: We want to go next to the 7 1/2 feet off our property line between our house and our property line. There's--

MR. TORLEY: Requesting 7 foot 6 inch side yard variance with proposed pool and three foot rear yard variance for proposed deck.

MR. KANE: Is the 7 foot easement on the side?

MR. TORLEY: Yes.

MR. KANE: Does it go from the property line or ten foot in New Windsor, right, except for Butterhill which is 12?

MRS. TRINAJSTIC: Is it 10 or 15?

MR. KANE: Unless it's changed until the last year.

MR. TORLEY: R-4 side yard's 15. Mike, you cannot build on a easement nor can you count that as for lot area. Does that also count for side yard?

MR. BABCOCK: Yes, it does count for side yard.

MR. TORLEY: You can count the easement as part of the

side yard so they're still short 7 foot 6?

MR. BABCOCK: Right.

MRS. TRINAJSTIC: We're under the understanding that we can't build on top of that, we understand that.

MR. TRINAJSTIC: We have the same probably, if you're looking at our house, this would be on our left-hand side, if you're looking at our house, we have the same problem distance-wise on our right-hand side and in the back of the house, we have another problem because it will create probably a drainage problem for our neighbor directly opposite.

MRS. TRINAJSTIC: Because our yard goes so far down, they said they'd have to dig anywhere between 2 1/2 to 3 feet down because that's how our slope is, so we picked the place where it is and not only that, we'd have to cut whatever trees we have there and we'd have the problem with people behind us no matter where we place it in the yard, we have a problem.

MR. KANE: This is the safest spot?

MRS. TRINAJSTIC: Yeah and if it's in the back, let's just, God forbid somebody was to fall back onto the deck, if the pool is behind here between the fence, there's a good chance they're either going to hit the pool or fall into the pool. It may not be a main concern for everyone, but it's a main concern for me because I have three small children, if it's on the side of the house, if somebody was to accidentally fall off the deck, the deck is not going to be where the end of the deck is going to be is not going to be where you can fall into the pool, you'd--

MR. TRINAJSTIC: Also on the left-hand side that would all be gated in.

MS. BARNHART: Did you bring photographs?

MR. TRINAJSTIC: I have pictures here to show this would be my house right here, and this would be the property line, actually, half of the gate they have on

my property, so this is actually, this is actually the property line right here. You can see the side of my house where I'd want the pool and it goes between their gate and their house that no splashes or anything which is approximately 24 feet from the gate of the property line.

MRS. TRINAJSTIC: He wants to know if the pool, we don't have, the pool doesn't have struts going down the side?

MR. TRINAJSTIC: No, they go straight down, this is just to show you all the trees in the back and if we put the pool in the back, it would probably create water damage to people directly next to us.

MRS. TRINAJSTIC: We have 6 foot stockade fence going around so it's not like--

MR. TRINAJSTIC: That's showing the trees again. And this right here is on the other side where I have the same problem as far as footage and the other thing is you can't really see too good all the snow there how it slopes down.

MRS. TRINAJSTIC: We have the chimney there that takes up that much further out and that would be that much further closer to their property.

MR. TRINAJSTIC: This is just showing you the distance between their house and the property line gate that like I said, the water would not splash and interfere, hurt their property in any way.

MRS. TRINAJSTIC: From their house to the wall of the pool would be 31 feet five inches, it's 24 feet from their house to the, to our property line plus 7 1/2 that we're asking for for the side of the pool towards our house, so it would be 31 feet five inches from their house.

MR. TRINAJSTIC: This is going to be showing you where the pool would be, okay, this is a good shot.

MR. TORLEY: I can see that is the flattest terrain.

Now, the deck, the deck is part of your, surrounding the pool?

MR. BABCOCK: No, actually, it's the deck on the rear of the house which there's one there already and when I went out to visit them together over this layout with them, I realized that the existing deck that's there now is closer to the property line than what it is supposed to be. He's just extending the deck. So I told him since he's coming here for the pool, he might as well straighten out the deck problem too, we're not sure how that got beyond.

MR. TORLEY: It's 40 foot?

MR. BABCOCK: Yes and he only has 37 feet.

MS. BARNHART: The deck is existing.

MR. BABCOCK: Half of the deck.

MRS. TRINAJSTIC: We want to build out a little bit more.

MR. TORLEY: It's the same price for one or two variances.

MR. KANE: Accept a motion?

MR. TORLEY: Yes. We do everything by public hearing. This is a preliminary meeting, let's us get an idea what you want do so you can see what kinds of questions we may have.

MR. KANE: When you come back for a public hearing, we want pictures and you have given some of the pictures and you have everything that we need so we're going to vote and set you up for a public hearing. I move that we set up the applicants for a public hearing.

MR. REIS: Second it.

ROLL CALL

MR. REIS

AYE

February 14, 2000

6

MR. KANE AYE
MR. TORLEY AYE

MR. KRIEGER: When you come back, if you'd address yourself to the criteria set forth on that sheet that would be helpful, because those are the criteria on which the zoning board must decide by state law.

E 575,000
N 342,000

SECTION 4



E 576,000
N 342,000

SECTION 75

E 576,000
N 342,000